

### REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 35-38 and 41-50 are presented for consideration. Claims 35, 38, 42 and 45 are independent. Claims 39 and 40 have been canceled without prejudice or disclaimer. Claims 35 and 38 have been amended to clarify features of the subject invention, while claims 41-50 have been added to recite additional features of the subject invention. Support for these changes and claims can be found in the original application, as filed. Therefore, no new matter has been added.

Applicant notes with appreciation that claims 35-38 have been allowed. Applicant submits that the foregoing changes to independent claims 35 and 38 do not affect the allowability of those claims. Applicant further submits that claims 41, 47 and 48, variously depending from allowed independent claims 35 and 38, also should be deemed allowable at the outset. In addition to these claims being allowable, Applicant submits that claims 42-46, 49 and 50 should be deemed allowable. Specifically, independent claims 42 and 45 have been patterned after allowed independent claims 35 and 38, and, therefore, likewise should be deemed allowable.

Applicant requests reconsideration and withdrawal of the rejection set forth in the above-noted Office Action.

Claims 39 and 40 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 10 and 15 of U.S. Patent No. 5,969,799 to

Sano. This rejection is respectfully traversed. Nevertheless, to expedite prosecution, claims 39 and 40 have been canceled without prejudice or disclaimer.

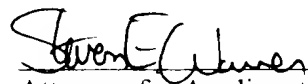
For the reasons noted above, Applicant submits that the present invention, as recited in independent claims 42 and 45, also is patentably defined over the cited art.

Dependent claims 43, 44, 46, 49 and 50 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in their respective independent claims. Further individual consideration of these dependent claims is requested.

Applicant further submits that the instant application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicant  
Steven E. Warner  
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
SEW: cab